



<b>AMENDMENT TRANSMITTAL LETTER</b>				Docket No. SPINE 3.0-455 CIP CONT III	
Application No. 10/781,506-Conf. #2911		Filing Date February 18, 2004		Examiner J. L. Cumberledge	
Applicant(s): Rafail Zubok, Michael W. Dudasik, and Joseph P. Errico					
Invention: INSTRUMENTATION AND METHODS FOR USE IN IMPLANTING A CERVICAL DISC REPLACEMENT DEVICE					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
<b>Total Claims</b>	13	- 20 =	0	x 52.00	0.00
<b>Independent Claims</b>	3	- 3 =	0	x 220.00	0.00
<b>Multiple Dependent Claims (check if applicable)</b> <input type="checkbox"/>					
<b>Other fee (please specify):</b>					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b> 0.00					
<input type="checkbox"/> Large Entity			<input type="checkbox"/> Small Entity		
<input type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> Credit any overpayment.					
<input type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
Dated: January 21, 2009					
Kevin M. Kocun Attorney/Agent Reg. No.: 54,230					
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6383					
<p>I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>Dated: January 21, 2009</p> <p>Signature: </p> <p>(Kevin M. Kocun)</p>					

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 21, 2009

Signature:



(Kevin M. Kocum)



Docket No.:

SPINE 3.0-455 CIP CONT III  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of :  
Zubok et al. :  
Application No.: 10/781,506 : Group Art Unit: 3733  
Filed: February 18, 2004 : Examiner: J. L.  
For: INSTRUMENTATION AND METHODS FOR :  
USE IN IMPLANTING A CERVICAL :  
DISC REPLACEMENT DEVICE :  
MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**AMENDMENT**

Dear Madam:

In response to the Official Action mailed September 17, 2008, Applicants submit the following amendments and remarks.